

Town of Whitby Public Meeting Report

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Report Title: **DEV-28-23: Draft Plan of Subdivision Application (SW-2023-04), Zoning By-law Amendment Application (Z-10-23), Icon Taunton Limited, 945 Taunton Road East**

Date of meeting: January 22, 2024

Report Number: **PDP 03-24**

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell, Chief
Administrative Officer**

For additional information, contact:

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Planning Report PDP 03-24 is presented for information purposes only, in accordance with the statutory public meeting requirements of the Planning Act R.S.O. 1990, c.P.13

Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning and Development Department on the proposed application(s). Also, any person may make written submissions at any time before Council makes a decision.

Additional information regarding statutory public meetings under the Planning Act can be found on the [Town's website](http://whitby.ca).

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Whitby before the by-law is passed, the person or public body is not entitled to appeal the decision of Whitby Council to the Ontario Land Tribunal (OLT) and may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

1. Highlights:

- A Draft Plan of Subdivision Application has been submitted by Icon Taunton Limited to create a Plan of Subdivision consisting of three blocks, including one block to accommodate the proposed mixed-use condominium development and two blocks for road widenings.
- The proposed mixed-use condominium development consists of four blocks of 4-storey stacked townhouses, including 520m² of commercial floor space and 4 blocks of 3-storey condominium townhouses for a total of 158 residential units.
- A Zoning By-law Amendment Application has been submitted to change the zoning from R2A* and H-C2-S to an appropriate zone category to accommodate the proposed mixed-use development.

2. Purpose:

The Planning and Development Department is in receipt of applications for Draft Plan of Subdivision and Zoning By-law Amendment for the subject land. The purpose of this report is to present information related to the applications at a statutory public meeting, as required by the Ontario Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is located on the south side of Taunton Road East, between Garrard Road and Sebastian Street (refer to Attachment #1). The subject land is currently occupied by a single detached dwelling at 3557 Garrard Road and single detached dwelling and out buildings at 945 Taunton Road East (refer to Attachment #2). All buildings are proposed to be removed to accommodate the proposed development. The subject land is approximately 1.54 hectares (3.8acres) in size.

Surrounding land uses include:

- commercial businesses located to the north;
- vacant mixed-use land and townhouses to the east;
- single detached dwellings to the south and west; and
- a restaurant adjacent to the subject land to the northwest and a seniors apartment and retirement home further to the northwest.

3.2. Applications and Proposed Development

A Draft Plan of Subdivision Application has been submitted by Icon Taunton Limited to create a Plan of Subdivision consisting of three blocks,

including one block to accommodate the proposed mixed-use condominium development and two blocks for road widenings along Taunton and Garrard Roads (refer to Attachment #3). The proposed mixed-use condominium development consists of four blocks of 4-storey stacked townhouses, including 520m² of commercial floor space and 4 blocks of 3-storey condominium townhouses for a total of 158 residential units.

A Zoning By-law Amendment Application has been submitted to change the zoning from R2A* and H-C2-S to an appropriate zone category to accommodate the proposed mixed-use development.

3.3. Documents Submitted in Support

A number of documents were submitted in support of the applications, including the following:

- A Draft Plan of Subdivision prepared by Evans Planning, dated November 20, 2022 (refer to Attachment #3);
- A Concept Site Plan prepared by GMB Architecture, dated October 2023 (refer to Attachment #4);
- An Arborist Report prepared by Stantec Consulting Ltd., dated September 22, 2023, provides an inventory of the trees on the subject land. The majority of the trees are proposed to be removed as they are within the limit of construction, however some trees are proposed to be retained and protected during construction. The report notes that compensation planting will be completed off-site;
- An Aviation Report prepared by Charles Cormier Aviation Consultant, dated November 18, 2022, concludes that the buildings and mobile cranes to construct the buildings will remain below the Obstacle Limitation and Clearance Surfaces requirements of the Oshawa Airport;
- An Environmental Impact Study prepared by Stantec Consulting Ltd., dated October 6, 2023, provides a summary of the geographical setting and relevant policies. The Study notes that the proposed development will result in the loss of 1.46 hectares of terrestrial habitat, but that these losses will be compensated on lands connected to existing natural heritage system to provide a greater benefit to local wildlife populations, for an overall net benefit;
- A Functional Servicing and Stormwater Management Report prepared by TYLin, dated October 2023, provides recommendations for stormwater servicing, sanitary servicing and

water servicing and concludes that the site can be adequately serviced;

- A Geotechnical Report prepared by Soil Engineers Ltd., dated August 13, 2021, provides a summary of subsurface conditions and recommends excavation and construction methods;
- A Hydrogeological Report prepared by Soil Engineers Ltd., dated December 22, 2022, provides information on groundwater conditions and concludes that temporary groundwater control is not anticipated for earthworks or construction for site development;
- A Noise Impact Feasibility Study prepared by J.E. Coulter Associates Limited, dated November 16, 2022, which concludes that aircraft and roadway traffic are expected to generate modest noise impact on the proposed development and recommends mitigation measures including a 1.8m high noise barrier, mandatory air conditioning for certain blocks, provision for future air conditioners for the other blocks, enhanced roof/ceiling and wall construction to address airport noise, and noise warning clauses for all units;
- A Phase 1 Environmental Site Assessment prepared by Soil Engineers Ltd., dated August 23, 2022, which recommends a Phase 2 Environmental Site Assessment;
- A Phase 2 Environmental Site Assessment prepared by Soil Engineers Ltd., dated August 23, 2022, which concludes that the property is suitable for the proposed residential development and no further environmental investigation is recommended;
- A Planning Justification Report prepared by Evans Planning, dated December 2022, provides a review of the proposed development in the context of the applicable planning policies. The Report concludes that the proposed development is consistent with provincial policies and conforms with the Region and Town Official Plans and represents good planning;
- A Stage 1 & 2 Archaeological Assessment prepared by The Archaeologists Inc., dated October 6, 2021, which notes that a systematic test pit survey did not result in the identification of any archaeological resources;
- A Sustainability Report prepared by Evans Planning, dated December 2022, which provides a summary of the sustainable practices that will be incorporated into the design of the development, and confirms the development will meet and exceed Tier 1 performance measures of the Whitby Green Standard; and,

- A Traffic Impact Study prepared by GHD, dated October 12, 2023, provides a review of the traffic related impacts on the adjacent road network based on projected future background traffic and concludes that the overall impact would be negligible to the operation of the adjacent road network. The Study also includes justification for reduced parking, based on the location on public transit routes and connection to cycling and pedestrian routes.

The above documents have been distributed to relevant internal departments and external agencies for review and comment.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated Living Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP). Living Areas are intended to be used predominantly for housing purposes, however commercial/retail uses may also be permitted in accordance with area municipal official plans.

4.2. Whitby Official Plan

The subject land is designated Mixed Use on Schedule 'A' – Land Use of the Whitby Official Plan (refer to Attachment #5).

The subject land is also within the Intensification Corridor as shown on Schedule 'B' – Intensification (refer to Attachment #6).

The Mixed Use designation is intended to provide a mix of residential and commercial development and redevelopment in an intensive, transit-supportive and efficient manner (4.6.1.1).

Intensification Corridors permit residential and mixed-use buildings with a minimum height of 2 storeys and maximum height of 8 storeys (4.2.7.3).

4.3. Zoning By-law

The subject land is zoned R2A* - Residential R2A* Zone under By-law 1784 on the west portion and H-C2-S – Holding – Special Purpose Commercial under By-law 1784 on the east portion (refer to Attachment #7). The R2A* zone permits a single detached dwelling and the H-C2-S zone permits a variety of non-residential uses.

An amendment to the Zoning By-law is required to permit the proposed mixed-use development.

4.4. Compensation Planting

As compensation for the removal of the existing trees on the subject land, the proponent will be required to install planting on Town-owned land. The Town, in consultation with CLOCA, has chosen a parcel of land on the

north side of Consumers Drive, east of Garden Street within the Pringle Creek watershed.

5. Communication and Public Engagement:

Notice of the statutory public meeting was mailed to all property owners within 120 metres of the subject land at least 20 days prior to the meeting date. Furthermore, a public notice sign has been erected on the Garrard Road, Taunton Road East and Sebastian Street frontages of the subject land in accordance with the Town's notification procedures.

6. Consultation with other Departments/Sources:

The applicable agencies and departments have been circulated the applications and copies of the associated supporting materials for their review and comment.

7. Conclusion:

All comments received at this statutory public meeting, as well as any subsequent written submissions, will be considered by the Planning and Development Department as part of its review and analysis of the development applications. A recommendation report will be brought forward to the Committee of the Whole at such time as input from the commenting agencies, departments and the public have been received and assessed.

All persons who make oral submissions, or have requested notification in writing, will be given written notice of the future meeting of the Committee of the Whole at which the applications will be considered.

8. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Subdivision Plan

Attachment #4: Proponent's Proposed Concept Plan

Attachment #5: Excerpt from Official Plan Schedule A – Land Use

Attachment #6: Excerpt from Official Plan Schedule B – Intensification

Attachment #7: Excerpt from Zoning By-law 1784